



Attorney Docket No. 0756-1986

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:) Group Art Unit: 2826
Yasuhiko TAKEMURA) Examiner: A. Sefer
Serial No. 09/342,235) CERTIFICATE OF MAILING
Filed: June 29, 1999) I hereby certify that this correspondence is being
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) P.O. Box 1450, Alexandria, VA 22313-1450, on
) September 22, 2003.
) Reese Tichtel

RESPONSE

Honorable Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The Official Action mailed May 20, 2003, has been received and its contents carefully noted. Filed concurrently herewith is a *Request for One Month Extension of Time*, which extends the shortened statutory period for response to September 20, 2003. Accordingly, the Applicant respectfully submits that this response is being timely filed.

The Applicant notes with appreciation the consideration of the Information Disclosure Statements filed on June 29, 1999, October 31, 2000, June 4, 2001, March 1, 2002, May 1, 2002, November 6, 2002, and February 24, 2003. However, the Applicant has not received acknowledgment of the IDS filed on October 25, 2000. Also, the Applicants note the partial consideration of the IDS filed on November 30, 2001 (see Paper No. 19). Specifically, it appears that the Examiner inadvertently overlooked the citation of U.S. Patent No. 5,250,931 to Misawa et al. The Applicants respectfully request that the Examiner provide an initialed copy of the Form PTO-1449 evidencing consideration of the IDS's filed October 25, 2000, and November 30, 2001.

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Claims 6-11 and 13-25 are pending in the present, of which claims 6, 9-11, 16 and 20 are independent. The Applicant notes with appreciation the allowance of claims 6-11.

Paragraph 3 of the Official Action rejects claims 13-25 as obvious based on the combination of U.S. Patent No. 5,051,570 to Tsujikawa et al. and U.S. Patent No. 5,302,966 to Stewart. The Applicants respectfully traverse the rejection because the Official Action has not made a *prima facie* case of obviousness.

As stated in MPEP §§ 2142-2143.01, to establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge generally available to one of ordinary skill in the art. "The test for an implicit showing is what the combined teachings, knowledge of one of ordinary skill in the art, and the nature of the problem to be solved as a whole

1370, 55 USPQ2d 1313, 1317 (Fed. Cir. 2000). See also *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992).

There is no suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify Tsujikawa and Stewart or to combine reference teachings to achieve the claimed invention.

The Official Action concedes that Tsujikawa does not teach "a wiring connecting one of the impurity regions of the NTFT first semiconductor island [14/114] with the

second gate electrode PTFT second semiconductor island [15/115]" (p. 3, Paper No. 27). The Official Action relies on Stewart to allegedly teach "a wiring 332 connecting one of the impurity regions 226/330 of the NTFT first semiconductor island with the second gate electrode 206/334 of PTFT second semiconductor island" (*Id.*). The Official Action asserts that "it would have been obvious to skilled in the art at the time of invention was made to use a wiring connecting an impurity regions [sic] of one TFT with a gate electrode of another TFT, since that would enable one transistor to drive another transistor to drive another transistor such that the data signal turns the other transistor ON thereby avoiding the formation of an extra scanning line" (*Id.*). The Applicant respectfully disagrees.

The Official Action has not provided any teaching from either Tsujikawa or Stewart to support the alleged motivation to combine. Specifically, neither Tsujikawa or Stewart teaches or suggests why one with ordinary skill in the art would have been motivated to first connect an impurity region of the NTFT first semiconductor island 14/114 of Tsujikawa with the second gate electrode PTFT second semiconductor island 15/115 of Tsujikawa, and then make such a connection using the wiring 332 of Stewart.

Even assuming motivation could be found, the Official Action has not given any indication that one with ordinary skill in the art at the time of the invention would have had a reasonable expectation of success when combining Tsujikawa and Stewart.

combination of Tsujikawa and Stewart is proper, there is a lack of suggestion as to why a skilled artisan would use the proposed modifications to achieve the unobvious advantages first recognized by the Applicants. The mere fact that references can be combined or modified does not render the resultant combination obvious unless the prior art also suggests the desirability of the combination.

In the present application, it is respectfully submitted that the prior art of record, alone or in combination, does not expressly or impliedly suggest the claimed invention and the Official Action has not presented a convincing line of reasoning as to why the

artisan would have found the claimed invention to have been obvious in light of the teachings of the references.

For the reasons stated above, the Official Action has not formed a proper *prima facie* case of obviousness. Accordingly, reconsideration and withdrawal of the rejection under 35 U.S.C. § 103(a) are in order and respectfully requested.

Should the Examiner believe that anything further would be desirable to place this application in better condition for allowance, the Examiner is invited to contact the Applicant's undersigned attorney at the telephone number listed below.

Respectfully submitted,


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